

TIMK 8545U1
Amendment Dated May 27, 2005
Reply to Office Action of April 29, 2005

REMARKS

Claims 1-7 and 9-12 are pending. Claims 1-7 and 12 are rejected. Claim 8 is objected to. Claims 9-11 are allowed.

Rejection of Claims 2, 6, and 12 Under 35 U.S.C. §112.

Claims 2, 6, and 12 are rejected under 35 U.S.C. §112 as being anticipated indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As suggested by the examiner Claim 2 and 12 are amended to define the variables of the equation.

Claim 6 is amended to provide proper antecedent basis for the limitations "first bore" and "fourth bore".

Applicant submits that the claims as amended particularly point out and distinctly claim the subject matter which applicant regards as the invention. Therefore, applicant respectfully requests that Examiner withdraw the rejection of claims 2, 6, and 12 under 35 U.S.C. §112.

Rejection of Claims 1 and 3-6 Under 35 U.S.C. §102.

Claims 1 and 3-6 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 6,789,438 issued to *Tanaka* (hereafter referred to as "*Tanaka*").

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As suggested by the examiner, claim 8 has been rewritten in independent form as claim 1 including all the limitations of the original base claim 1. Applicant submits that claim 1, as amended, is not anticipated by *Tanaka*.

Claims 3-6 depend from respective base claim 1, and therefore, incorporate all of the subject matter of respective base claim 1. Because a dependent claim cannot be anticipated if the independent claim from which it depends is not anticipated, dependent claims 3-6 are also not anticipated. Therefore, applicant respectfully requests that Examiner withdraw the rejection of claims 1 and 3-6.

Rejection of Claim 7 Under 35 U.S.C. §103.

Claim 7 depends from base claim 1, and therefore, incorporates all of the subject matter of base claim 1. Because a dependent claim cannot be obvious if the independent claim from which it depends is not obvious, dependent claim 7 is also not obvious. Therefore, applicant respectfully requests that Examiner withdraw the rejection of claim 7.

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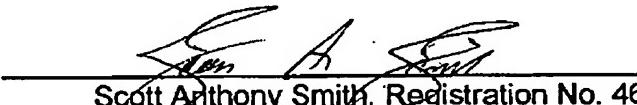
Conclusion.

Applicant believes the above analysis and the amendments made herein overcome all of the Examiner's objections and all of the Examiner's rejections and that claims 1-7 and 9-12 are in condition for allowance. Therefore, applicant submits that claims 1-7 and 9-12 constitute allowable subject matter and should be favorably considered by the Examiner, and issue a timely Notice of Allowance for those claims.

The Commissioner is hereby authorized to charge any additional fees or credit overpayment under 37 CFR 1.16 and 1.17, which may be required by this paper to Deposit Account 162201.

Respectfully submitted,

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